



Governor
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**
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Executive Director
Jack Confer

July 25, 2006

VIA REGULAR MAIL

Matthew C. Duke, D.O.
Southwest Family Medicine
1209 North Miller Road
Buckeye, AZ 85326

RE: Letter of Concern, Case No. 3397M

Dear Dr. Duke,

At their meeting on July 22, 2006, the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Board") conducted an investigative hearing on the above-referenced complaint. Based on the information presented, the Board found there was insufficient evidence to conclude that your conduct constituted unprofessional conduct or to support direct action against your license. However, the Board voted to issue you this advisory LETTER OF CONCERN pursuant to the provisions of A.R.S. 32-1855 (D) (2). The Board was concerned that you conducted a limited clinical evaluation and follow-through of the patient which could ultimately lead to a violation of A.R.S. §§ 32-1854 (6) which states:

"Engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard."

A Letter of Concern is a non-disciplinary action that remains part of the public record of your license for five years from the date of issuance (July 24, 2006). During those years it will be provided in response to requests for copies of your license file or verifications of license status, including being posted on the Board's website. It also may be cited in future actions against your license. Because it is not a disciplinary action, it is not reported to the National Practitioner Data Base or Health Care Integrity and Protection Databank.

Respectfully,


Jack Confer
Executive Director

JC/s

Copy: Complainant
File